

### **REMARKS/ARGUMENTS**

Claims 1-31 are pending in the application. Claims 1-28 are rejected. Through this Response and Amendment, claims 1, 18, and 27 – 31 have been amended and claims 4 and 20 have been cancelled. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

#### **Claim Rejections – 35 USC § 103**

Claims 1-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,177,931 to Alexander et al., (“Alexander”) in view of U.S. Patent Publication No. 2004/0008972 to Haken, (“Haken”). The Applicants respectfully request reconsideration in view of the Remarks below.

The Office Action asserts Alexander discloses an EPG system comprising, *inter alia*, a notification means and a transmission means. Office Action dated December 14, 2005; pages 2 - 4. The Examiner, however, does concede that Alexander does not disclose the step of transmitting a notification of the program selected from the EPG to at least one remote program guide system using the communication network, but believes this limitation is met by Haken. The Applicants respectfully disagree that the claim limitations are taught, disclosed, or otherwise suggested by either of the references, either individually or in combination. First, although Alexander discusses the use of e-mail in a general way, there is no indication of receiving or transmitting notifications at all. So along these lines can be no suggestion or indication for using SMS for transmitting alert messages.

While Haken discloses transmitting commands via an Internet connection to remotely control a PTR, there is no suggestion or indication of use of SMS for transmitting alert messages. Therefore, the asserted references, either individually or in combination, do not disclose, teach, or even suggest all the claim limitations. To more clearly indicate the usage of SMS claims 1, 18, and 27 – 31 have been amended. *See, e.g.*, Claim 1 recites: “wherein said transmission means also are arranged to transmit an alert message indicating said notification to an SMS server to be

forwarded as an SMS to a mobile handset". For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

**Claims 29 - 31**

The Office Action dated December 14, 2005 does not indicate the status of claims 29 – 31, which were submitted on September 14, 2005. The Applicants respectfully request an indication of their status in the following Action.

**CONCLUSION**

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

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By: \_\_\_\_\_



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